WELSH STATUTORY INSTRUMENTS

2002 No. 1356 (W.132)

ANIMALS, WALES

ANIMAL HEALTH

The Disease Control (Interim Measures) (Wales) (Amendment) (No. 2) Order 2002

Made - - - -	*14th May 2002*
Coming into force - -	*15th May 2002*

The National Assembly for Wales and the Secretary of State, acting jointly in exercise of the powers conferred on them under sections 1 and 8(1) of the Animal Health Act 1981(**1**) and of all other powers enabling them in that behalf, make the following Order:

Title, application and commencement

1. This Order may be cited as the Disease Control (Interim Measures) (Wales) (Amendment) (No. 2) Order 2002; it applies to Wales and shall come into force on 15th May 2002.

Amendment of the Disease Control (Interim Measures) (Wales) Order 2002

2.—(1) The Disease Control (Interim Measures) (Wales) Order 2002(**2**) shall be amended in accordance with the following provisions of this article.

(2) In article 2—

(a) before the definition of "the Act" the following definition shall be added—

> ""animals" means cattle, sheep, goats, and all other ruminating animals, swine and elephants;";

(b) for the definition of "collecting centre" there shall be substituted the following—

> ""collecting centre" means premises used for the intermediate reception of animals intended to be moved elsewhere and includes any place used, whether

(**1**) 1981 c. 22. In relation to Wales, the functions conferred under the 1981 Act on "the Ministers" (as defined in section 86 of that Act) were transferred, so far as exercisable by the Secretary of State for Wales, to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). In so far as such functions were exercisable by the Secretary of State for Scotland in relation to Wales, they were transferred to the Minister of Agriculture, Fisheries and Food by the Transfer of Functions (Agriculture and Food) Order 1999 (S.I. 1999/3141) and were then further transferred to the Secretary of State by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).

(**2**) S.I. 2002/280 (W.32) as amended by S.I. 2002/1038 (W.110).

as a market or otherwise, for the sale or trading of animals, but only where the animals being sold or traded are intended for immediate slaughter thereafter;";

(c) after the definition of "hunting" there shall be added the following definition—

""individual identification number" has the same meaning as in the Sheep and Goats Identification and Movement (Interim Measures) (Wales) Order 2002(**3**);";

(d) for the definition of "Minister" there shall be substituted the following definition—

""Minister" means the Secretary of State except in relation to anything done before 27th March 2002 for which purpose it means the Minister of Agriculture, Fisheries and Food;";

(e) the word "and" where it appears at the end of the definition of a "sole occupancy group" shall be deleted;

(f) the full stop where it appears at the end of the definition of "tack land" shall be replaced with ";and"; and

(g) after the definition of "tack land" there shall be added the following—

""veterinary treatment" includes, in the case of goats, the collection of semen.".

(3) In article 3—

(a) in sub-paragraph (2)(a) the word "exhibition," shall be deleted;

(b) for sub-paragraph (2)(b) there shall be substituted the following—

"(b) if the movement is—

(i) of a pig as referred to in article 8(3)(b) of the Pigs (Records, Identification and Movement) Order 1995(**4**) or to a market for pigs intended for immediate slaughter;

(ii) of an animal direct to a slaughterhouse, or to a collecting centre for animals intended for immediate slaughter, provided that in the latter case —

(aa) the collecting centre premises have not been used and will not be used on the same day for a show or exhibition or for the sale or trading of animals otherwise than for immediate slaughter; and

(bb) all animals moved to the collecting centre are moved from there direct to a slaughterhouse;

(iii) of a calf less than 30 days old (for which a cattle passport has been issued and to which eartags have been applied in accordance with article 3(3) of the Cattle Identification Regulations) from premises of origin which are either the premises on which the calf was born or other premises in the same sole occupancy group, save that this exemption shall not apply if—

(aa) any animal has been moved during the standstill period direct from a market on to the premises of origin or other premises in the same sole occupancy group;

(bb) the calf is being moved to a collecting centre or market; or

(cc) the calf is being moved to a show or exhibition;

(iv) of a lamb or kid less than 7 days old from premises of origin which are either the premises on which it was born or other premises in the same

(**3**) S.I. 2002/1357 (W.133)
(**4**) S.I. 1995/11, as amended by S.I. 1995/2922 and, as regards Wales, by the Pigs (Records, Identification and Movement) (Interim Measures) (Wales) Order 2002 (S.I. 2002/281).

sole occupancy group to any other premises not more than 10 kilometres by road from the premises of origin, where this is for the purpose of fostering that lamb or kid;

(v) the return from tack land of a sheep to the premises from which it was originally moved or to other premises in the same sole occupancy group provided that the tack land was managed separately from and had a different CPH number from the remainder of any premises of which it was a part at all times during the period the sheep was there;

(vi) of an animal between premises in a sole occupancy group in accordance with an authority issued by the National Assembly or the Minister;

(vii) of an animal to a show or exhibition from another show or exhibition;

(viii) of an animal to a show or exhibition, otherwise than from another such event or from premises to which it has been moved and where it is still subject to isolation pursuant to paragraph (x) below, provided it has been isolated for the 20 days preceding the day of the movement from all other animals on the premises of origin and any other premises in the same sole occupancy group and has been identified, marked or tagged—

(aa) in the case of cattle in accordance with the requirements of Cattle Identification Regulations;

(bb) in the case of a sheep or goat with an individual identification number;

(cc) in the case of a deer in accordance with the requirements of the Tuberculosis (Deer) Order 1989(**5**); or

(dd) in the case of a camelid in accordance with any requirements specified in the licence issued under paragraph (1)(a) above pursuant to which it is being moved;

(ix) of an animal to a show or exhibition from premises to which it has been moved and on which it is still subject to isolation pursuant to paragraph (x) below;

(x) of an animal from a show or exhibition to anywhere other than another show or exhibition provided that for the 20 days following the movement from the show or exhibition—

(aa) it is not moved from the new premises (except to another show or exhibition); and

(bb) while on the new premises is isolated from all other animals;

(xi) of cattle from premises of origin in circumstances where—

(aa) the only movement of animals on to the premises of origin has been of a calf less than 30 days old brought from the premises on which it was born or from other premises in the same sole occupancy group;

(bb) the premises of origin are authorised to be used as a specialist calf rearing unit by a notice issued by a veterinary inspector, the National Assembly or the Minister; and

(cc) the cattle to be moved have been issued with cattle passports and tagged in accordance with the Cattle Identification Regulations;

(**5**) S.I. 1989/878, to which relevant amendments are made by S.I. 1993/2010.

(xii) of an animal for direct export or to a collecting centre or assembly centre approved under regulation 12(2) of the Animal and Animal Products (Import and Export) (England and Wales) Regulations 2000(**6**) prior to such export;

(xiii) of an animal which has been imported into the United Kingdom direct to any premises from its point of entry into the United Kingdom;

(xiv) of an animal between land over which the owner or keeper of the animal has a registered right of common and premises occupied by the owner or keeper in relation to which the registered right of common is customarily exercised;

(xv) of a camelid being taken on a trekking expedition;

(xvi) of pigs, cattle, or sheep to an artificial insemination centre, provided, in the case of sheep, that they have been isolated for the 20 days preceding the movement from all other animals on the premises of origin and any other premises linked to them in a sole occupancy group;

(xvii) of pigs, sheep, goats, cattle, camelids or deer to a place for veterinary treatment provided (except in the case of pigs) that the animals will be isolated from all other animals there whilst the treatment is carried out;

(xviii) of a bull or ram or a goat, camelid or deer of either sex for breeding purposes, provided it is identified, marked or tagged—

(aa) in the case of a bull in accordance with the requirements of the Cattle Identification Regulations;

(bb) in the case of a ram or goat with an individual identification number;

(cc) in the case of a deer in accordance with the requirements of the Tuberculosis (Deer) Order 1989; or

(dd) in the case of a camelid in accordance with any requirements specified in the licence issued under paragraph (1)(a) above pursuant to which it is being moved,

is accompanied during the movement by a declaration that it is being moved for breeding purposes signed by or on behalf of its owner or keeper and, in the case of a ram or goat it has been isolated for the 20 days before the movement from all other animals on the premises of origin and any other premises linked to them in a sole occupancy group;

(xix) of sheep returning from premises to which they were moved solely for the purposes of taking part in a sheep dog trial there; or

(xx) of an animal being moved to a laboratory for diagnostic tests to be carried out to ascertain whether the animal is affected by or has been exposed to a disease; or";

(c) for paragraph (3) there shall be substituted the following—

"(3) For the purposes of paragraph (1)(b) above no account shall be taken of the movement on to the premises of origin or other premises in the same sole occupancy group of—

(a) a pig—

(**6**) S.I. 2000/1673, as amended by S.I. 2000/2266, S.I. 2000/2524, S.I. 2000/2900, 2000/3128 and as regards Wales only, S.I. 2002/1039 (W.111).

(i) which is being returned to those premises from a place to which it had been moved for breeding, an artificial insemination centre or a place to which it had been moved for veterinary treatment provided it is isolated for 20 days after the date of its return from all other animals; or

(ii) where that movement is as referred to in article 8(3)(b) of the Pigs (Records, Identification, and Movement) Order 1995;

(b) an animal which is being moved to those premises direct from an exhibition or show provided that —

(i) the animal is isolated in accordance with the requirements of paragraph (2)(b)(x) above; and

(ii) the attendance of the animal at that exhibition or show has been notified to the local authority;

(c) a bull, or a deer or camelid of either sex for breeding purposes, provided it has been identified, marked or tagged—

(i) in the case of a bull in accordance with the requirements of the Cattle Identification Regulations;

(ii) in the case of a deer in accordance with the requirements of the Tuberculosis (Deer) Order 1989; or

(iii) in the case of a camelid in accordance with any requirements specified in a licence issued pursuant to paragraph (1)(a) above under which it is being moved

and is accompanied by a declaration that the movement is for breeding purposes signed by or on behalf of its owner or keeper;

(d) a ram, or a goat of either sex for breeding purposes provided—

(i) it has been identified with an individual identification number and is accompanied by a declaration that it is being moved for breeding purposes signed by its owner or keeper;

(ii) it has not come from a market; and

(iii) either no animals have been brought on to the premises from which it has come or other premises linked with them in a sole occupancy group during the 20 days preceding the day of the movement, or the ram or goat has been isolated during that period from all other animals on such premises;

(e) a ram, or a goat of either sex which is being returned to those premises from a place to which it had been moved for breeding purposes provided it is isolated for 20 days after the date of its return from all other animals;

(f) a camelid brought from premises where no animals other than camelids have been present at any time during the 20 days preceding the movement of the camelid onto the premises of origin or other premises in the same sole occupancy group;

(g) a sheep which is being returned to those premises from tack land provided the tack land has been managed separately from and had a different CPH number from the remainder of any premises of which it is a part during the period the sheep was there;

(h) a calf less than 30 days old from the premises on which it was born or other premises in the same sole occupancy group, provided that the premises of